IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE V.ESWARAIAH

-

WRIT PETITION NO : 16201 of 1999

Between:

S.V.R.S.V. Prasad Naidu, s/o. Narasimha Rao, Hindu, aged 34 years, N.M.R. Heavy Vehicle Driver, Agricultural College, Guntur District.

..... PETITIONER

AND

1. The Acharya NG Ranga Agricultural University, Rajendranagar, Hyderabad, rep. by its Registrar.
2. The Principal, Agricultural College, Bapatla, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, declaring the action of the respondents in not regularising the services of the petitioner on par with the similarly situated persons whose services have been regularised by virtue of the proceedings No.865/Ser-III(a1)/99 dated 22-4-99 issued by 1st respondent as illegal, arbitrary, unreasonable and violative of Arts. 14, 16, 21 & 300A of the Constitution of India and consequently direct the respondents herein to regularise the services of the petitioner in the category of Heavy Vehicle Driver with all consequential and incidental benefits

Counsel for the Petitioner: MR.A.SREEDHAR

Counsel for the Respondents: MR.B.SIVA REDDY

The Court made the following :

ORAL ORDER:

The petitioner herein submits that he was initially appointed as a casual labour and his services were utilized in various departments from 7-10-1988. But the respondents state that the petitioner had worked on voucher basis in short spells from 7-10-1988 and therefore his services as a driver cannot be counted.

Learned counsel for the petitioner submits that the respondents considered a similar case under similarly situated persons by taking in to account their voucher services and their services were also regularised, but the case of the petitioner has not been considered. He has given some of the instances where the case of Narsimharao who worked as watchman at Veternary College, Rajender Nagar, Hyderabad was considered duly taking into consideration of his voucher service and regularised his services.

I am not inclined to go into merits of the case as, if any of the similar cases of the similarly situated persons have been considered, it is for the respondents to consider the case of the petitioner also.

Having regard to the facts and circumstances of the case, the petitioner is directed to file a detailed representation giving all the particulars within two weeks from the date of receipt of this order and on filing such an application, the respondents are directed to consider the case of the petitioner for regularisation and dispose of the same within eight weeks thereafter, in accordance with law, and communicate the order to the petitioner.

The writ petition is accordingly disposed of. No order as to costs.

_____

V. ESWARAIAH,J

Dt.15-9-04

Note:

Issue CC in one week.

B/o.

Kvrk

To

1. The Registrar, The Acharya NG Ranga Agricultural University, Rajendranagar, Hyderabad,.
2. The Principal, Agricultural College, Bapatla, Guntur District.

3. Two CD copies.